

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

MANNIE JOEL, M.D.)

Case No. 800-2017-030420

**Physician's and Surgeon's)
Certificate No. A34460)**

Respondent)
_____)

DECISION

**The attached Stipulated Surrender of License and Order is hereby
adopted as the Decision and Order of the Medical Board of California,
Department of Consumer Affairs, State of California.**

This Decision shall become effective at 5:00 p.m. on October 23, 2019.

IT IS SO ORDERED October 16, 2019.

MEDICAL BOARD OF CALIFORNIA

By: 

**Kimberly Kirchmeyer
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 State Bar No. 113083
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3884
5 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 800-2017-030420

11 **MANNIE JOEL, M.D.**

12 **PO Box 11087**
13 **Pleasanton CA 94588-1087**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. A**
15 **34460**

16 Respondent.

17
18 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
19 of California (Board). She brought this action solely in her official capacity and is represented in
20 this matter by Xavier Becerra, Attorney General of the State of California, by Mary Cain-Simon,
21 Supervising Deputy Attorney General.

22 2. Mannie Joel, M.D. (Respondent) is represented in this proceeding by attorney Robert
23 J. Sullivan, Esq., of Nossaman LLP, whose address is: 50 California St., 34th Floor, San
24 Francisco, CA 94111.

25 3. On or about September 18, 1979, the Board issued Physician's and Surgeon's
26 Certificate No. A 34460 to Mannie Joel, M.D. (Respondent). The Physician's and Surgeon's
27 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
28 No. 800-2017-030420 and will expire on September 30, 2020, unless renewed.

1

2

7

8

2

8

20

21

24

1 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
2 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
3 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
4 be disqualified from further action by having considered this matter.

5 10. The parties understand and agree that Portable Document Format (PDF) and facsimile
6 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures
7 thereto, shall have the same force and effect as the originals.

8 11. In consideration of the foregoing admissions and stipulations, the parties agree that
9 the Board may, without further notice or formal proceeding, issue and enter the following Order:

10 **ORDER**

11 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 34460, issued
12 to Respondent Mannie Joel, M.D., is surrendered and accepted by the Board.

13 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
14 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
15 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
16 of Respondent's license history with the Board.

17 2. Respondent shall lose all rights and privileges as a Physician and Surgeon in
18 California as of the effective date of the Board's Decision and Order.

19 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
20 issued, his wall certificate on or before the effective date of the Decision and Order.

21 4. If Respondent ever files an application for licensure or a petition for reinstatement in
22 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
23 comply with all the laws, regulations and procedures for reinstatement of a revoked or
24 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
25 contained in Accusation No. 800-2017-030420 shall be deemed to be true, correct and admitted
26 by Respondent when the Board determines whether to grant or deny the petition.

27 5. If Respondent should ever apply or reapply for a new license or certification, or
28 petition for reinstatement of a license, by any other health care licensing agency in the State of

1 California, all of the charges and allegations contained in Accusation, No. 800-2017-030420 shall
2 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
3 Issues or any other proceeding seeking to deny or restrict licensure.

4 ACCEPTANCE

5 I have carefully read the above Stipulated Surrender of License and Order and have fully
6 discussed it with my attorney Robert Sullivan, Esq. I understand the stipulation and the effect it
7 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
8 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
9 Decision and Order of the Medical Board of California.

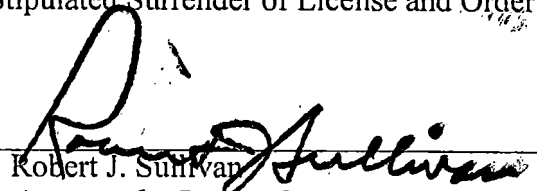
10
11 DATED: 9/3/2019



12 MANNIE JOEL, M.D.
Respondent

13 I have read and fully discussed with Respondent Mannie Joel, M.D. the terms and
14 conditions and other matters contained in this Stipulated Surrender of License and Order. I
15 approve its form and content.

16 DATED: 9/4/19



17 Robert J. Sullivan
Attorney for Respondent
18
19
20
21
22
23
24
25
26
27
28

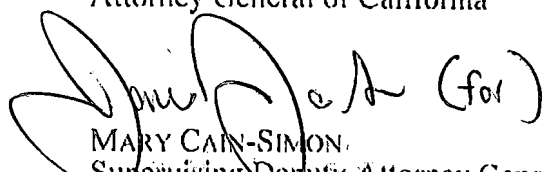
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 9/5/19

Respectfully submitted,

XAVIER BECERRA
Attorney General of California


MARY CAIN-SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

SF2019201518
21586895.docx

Exhibit A

Accusation No. 800-2017-030420

1 XAVIER BECERRA
2 Attorney General of California
3 MARY CAIN-SIMON
4 Supervising Deputy Attorney General
5 State Bar No. 113083
6 455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
8 Telephone: (415) 510-3884
9 Facsimile: (415) 703-5480
10 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Aug 13 20 19
BY MS ANALYST

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2017-030420

12 **Mannie Joel, M.D.**
13 **PO Box 11087**
14 **Pleasanton CA 94588-1087**

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. A 34460,**

17 Respondent.

18
19 Complainant alleges:
20

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On September 18, 1979, the Medical Board issued Physician's and Surgeon's
26 Certificate Number A 34460 to Mannie Joel, M.D. (Respondent). The Physician's and Surgeon's
27 Certificate was in full force and effect at all times relevant to the charges brought herein and will
28 expire on September 30, 2020, unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Medical Board of California (Board),
3 Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
7 one year, placed on probation and required to pay the costs of probation monitoring, or such other
8 action taken in relation to discipline as the Board deems proper.

9 5. Section 822 of the Code states:

10 "If a licensing agency determines that its licentiate's ability to practice his or her
11 profession safely is impaired because the licentiate is mentally ill, or physically ill affecting
12 competency, the licensing agency may take action by any one of the following methods:

13 "(a) Revoking the licentiate's certificate or license,

14 "(b) Suspending the licentiate's right to practice.

15 "(c) Placing the licentiate on probation.

16 "(d) Taking such other action in relation to the licentiate as the licensing agency in its
17 discretion deems proper.

18 "The licensing section shall not reinstate a revoked or suspended certificate or license until
19 it has received competent evidence of the absence or control of the condition which caused its
20 action and until it is satisfied that with due regard for the public health and safety the person's
21 right to practice his or her profession may be safely reinstated."

22 6. The actions and incidents alleged herein occurred in California.

23 **CAUSE FOR DISCIPLINE**

24 **(Physical and/or Mental Impairment)**

25 7. Respondent is subject to Board action under section 822 in that good cause exists to
26 believe that Respondent's ability to practice medicine safely may be impaired by physical and/or
27 mental illness. The circumstances are as follows:
28

8. On June 3, 2019, Respondent provided to the Board's investigator a medical note from his primary care physician stating that Respondent is ill, unable to attend an interview with investigators, and that he would never be able to return to the practice of medicine due to his overall clinical scenario. Respondent's counsel subsequently confirmed that Respondent is physically ill and unable to practice medicine.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 34460,
issued to Mannie Joel, M.D.;

2. Revoking, suspending or denying approval of Mannie Joel, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Mannie Joel, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: August 13, 2019

Kimberly Kirchmeyer
KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California.
Department of Consumer Affairs
State of California
Complainant

SF2019201333
21528082.docx